GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Water Resources Department – Proposal "YRP-Court cases: A.S No.1200/2018 filed by the State of Andhra Pradesh, represented by the District Collector, East Godavari District and the Superintending Engineer, Irrigation Circle, Dowlaiswaram -Challenging the judgment and decree in OS No.80/2006, dt.30.12.2017 on the file of VI Additional District Judge, Kakinada - Stay orders issued with a condition to deposit 50% of Decretal amount along with costs - Sanction of LOC for an amount of Rs.88,60,863/- as per decree – Administrative Sanction Accorded - Orders – Issued.

WATER RESOURCES (PROJECTS.I) DEPARTMENT

G.O.RT.No. 461 **Dated: 11-10-2019**
Read :

From the Engineer-in-Chief, Irrigation, Vijayawada Lr.No. ENC(I)/ DCE (GDS)/OT.3/AEE7/YRP/LA Cases Dt:14 -08-2019.

ORDER:

In the letter read above, the Engineer-in-Chief, Irrigation has informed that the Hon'ble 6th Additional Dist. Judge Court, Kakinada has delivered its judgment on 30.12.2017 and decreed in O.S.No 80/2006 filed by Sri . M/s Amar Constructions, Contractor for the claims relating to the work "Removal of Silt from canal bed of Yeleru Left Main Canal from Km.42.00 to 48.30" as follows:-

1. The defendants do pay Rs.71,00,000/-(Rupees Seventy One lakhs only) to the plaintiff with Pendent lite interest at 12% p.a with further interest at 6 % p.a on the principal sum adjudged to Rs.71,00,000/- (Rupees Seventy One lakhs only)

2. The defendants do also pay Rs.2,97,080/- (Two lakhs ninety seven thousand and eighty only) to the plaintiff towards proportionate costs of suit bearing their own costs.

2. The Department has filed an appeal in the Hon'ble High Court against the judgment and decree in O.S.No.80 of 2006 dated 30.12.2017. The Advocate General in his Letter dated 08.07.19 has reported that the above appeal came up for hearing before the Hon'ble High Court on 08.07.2019 and the Hon'ble High Court after hearing the arguments passed interim orders on condition of depositing 50% of the decretal amount in O.S.No.80/2006, dated 3012.2017 on the file of Hon'ble VI Additional District Judge, Kakinada within 8 weeks. The Executive Engineer, Y.R.C. Division, Yeleswaram has calculated the decree amount to be deposited as Rs. 88,60,863/-.

(p.t.o)

3. The Engineer-in-Chief, Irrigation has therefore requested to accord permission to release decretal amount of Rs.88,60,863/- in respect of O.S.No 80/2006, duly sanctioning an amount of Rs.10,00,000/- which is already available in the Budget estimate and additional funds of Rs. 78,60,863/- under head of account 4700-Capital outlay on Major Irrigation 01 – MI – Commercial -116 – YRS -11 State development scheme – 27 Canals and Distributaries – 530 Major works – 531 other expenditure (charged) at an early date.

4. Government after careful examination, hereby accord administrative sanction for an amount of **Rs.88,60,863/- (Eighty Eight Lakhs Sixty Thousand Eight hundred and Sixty Three Rupees only)** towards 50% of decretal charges to deposit in the VIth Additional District Judge, Kakinada in respect of O.S.No 80/2006, dt.30.12.2017 as per interim orders of the Hon'ble High Court for the work of "Removal of Silt from canal bed of Yeleru Left Main Canal from Km.42.00 to 48.30" .

5. The expenditure sanctioned in para (4) above shall be debited to the Head of Account " 4700 Capital outlay on Major Works- 01 Major Irrigation-Commercial - MH.116 Yeleru Reservoir Scheme –GH.11 State Development Schemes– SH(27) Canals and Distributaries – 530 Major works – 531 Major works (charged)".

6. The Engineer-in-Chief, Irrigation, Vijayawada shall take necessary action accordingly.

7. This order issues with the concurrence of Finance (FMU-WR.I) Department, vide their U.O.No. FMU0ASD(WR-I)/120/2019, dated: 23/09/2019.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Engineer-in-Chief, Irrigation, Vijayawada .
Copy to:
The Director of Works & Accounts, Ibrahimpatnam, Vijayawada.
Finance (FMU-WR III) Department.
The P.S. to Minister (WRD)
The P.S. to Special Chief Secretary (WRD)
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER